

**VILLAGE OF SLEEPY HOLLOW  
ZONING BOARD OF APPEALS MEETING  
January 18, 2012**

The meeting was called to order by Timothy Judge , Acting Chairman at 8:15 pm. The Chair noted that a quorum was present.

Present: Michael Wernick  
Linda Moiron  
Timothy Judge, Acting Chairman  
M. Gorete Crowe  
Sherry Bishko

Absent : Peter Koffler, Chairman  
Jennifer Lobato-Church

Also Present: Joe Paiva (Village of Sleepy Hollow/Building Department)  
Anthony DelVecchio (Recording Secretary)

**Agenda:**

- |   |                     |              |
|---|---------------------|--------------|
| 1) Michael Kampen                         | 12 Gorey Brook Road | Sub-division |
| 2) Angelina Shaw                          | 151 Highland Avenue | Addition     |
| 3) Minutes for November and December 2011 |                     |              |

**Announcements:**

None.

- 1) Michael Kampen** **12 Gorey Brook Road** **Sub-division -**

This is an application for an area variance.

The Chair stated that this application cannot be heard since the public was not properly noiced.

- 2) Angelina Shaw** **151 Highland Avenue** **Addition -**

This is an application for an area variance.

The Chair asked if proof of mailings was received. Joe Paiva responded yes.

The Chair read the public notice aloud for the record.

Sam Vieira is the project architect and is representing this application.

Sam Vieira said that the owner is in a wheelchair and the proposed changes will enable her to live on the 1<sup>st</sup> floor. The alterations will include a wheelchair ramp and some interior renovations. He reviewed the footprint to establish the required variances. He stated that the deck was slid over to the other side to allow the owner to access the garage.

Michael Wernick asked about the age of the house.

Mrs. Mary Pearlman (owners daughter) stated that the house is at least 70 years old.

Sam Vieira reviewed the requested variances. He reviewed the pre-existing non-conforming variances and the variances created by the proposed work.

The Chair stated that by sliding the deck over, the variances were increased.

Sam Vieira responded that the deck can be altered to eliminate any issues with the requested variances and the public notice.

The Chair stated that the Board has received:

- 1) Zoning compliance form
- 2) Short EAF
- 3) Application
- 4) Plans

Since there were no further Board questions, the Chair opened the public hearing.

Since there were no public comments, the Chair closed the public hearing.

Joe Paiva stated that several members of the public came to view the plans and he stated that the deck should be made to conform to the public notice. He stated that the deck was shown on the other side of the property and the original plans did not propose a wheelchair ramp.

The Chair stated that the deck would have to conform to the public notice regarding setbacks. Sam Vieira responded that the deck will be shifted over 6-inches.

Linda Moiron asked about the lot coverage.

Sam Vieira responded that it was an error in transferring the information from the plans to the zoning form.

Linda Moiron asked if plans were sent out to every neighbor.

Joe Paiva responded that only the public notice is sent out.

Sherry Bishko asked for clarification regarding the deck.

Joe Paiva responded that a majority of the deck slid over to the other side of the house.

The Chair stated that if the deck location is in compliance with the zoning code, a variance is not needed.

There was an open discussion on the revised location of the deck and the plans that were available to the public for review.

The Chair stated that if the deck stays within the existing setbacks, then a variance is not needed.

Linda Moiron asked about the location of the side yard neighbor.

Sam Vieira responded that it is not shown on the drawing but he estimates about 11-feet for each for a total of about 22-feet apart.

Joe Paiva stated that the original deck is located on the drawing. He stated that the Board can visualize the impacts of relocating the deck.

Mrs. Mary Pearlman (owners daughter) stated that the new plans were discussed with the neighbors on both sides as well as the neighbors across the street.

Sam Vieira also stated that the application will be presented to the ARB next week and the public will have the chance to comment on the new plans.

The Chair stated that the application would not be an undesirable change to the neighborhood. He stated that this is not a self-created hardship. He stated that the requested variances are not substantial.

Linda Moiron made a motion to approve the application as submitted. Michael Wernick seconded. It was unanimous (5-0).

The Chair urged the applicant to have the neighbors review the plans again so they can comment on the new plans.

### **3) Minutes for November and December 2011 -**

The minutes for the November and December 2011 meetings were reviewed.

The minutes from the November 2011 meeting will be held over until the verbiage is received from the Village Attorney on the Valley Street application.

The Chair made a motion to approve the December 2011 minutes as submitted. Michael Wernick seconded. It was approved (4-0). (Bishko abstained).

Adjourned 8:49 pm.